

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 13-50506

1:13-cv-755

FILED

OCT 21 2013

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY

MICHAEL HAENDEL,

Plaintiff - Appellant

v.

M. DIGIANTONIO; THOMAS EATON,

Defendants - Appellees

Appeal from the United States District Court for the
Western District of Texas
USDC No. 1:13-CV-7

Before DENNIS, HAYNES and GRAVES, Circuit Judges.

PER CURIAM:

This court must examine the basis of its jurisdiction, on its own motion if necessary. *Hill v. City of Seven Points*, 230 F.3d 167, 169 (5th Cir. 2000). In this personal injury case, the plaintiff filed a series of "criminal affidavits," alleging misconduct against various court officials and others. The district court struck the affidavits and the plaintiff filed a notice of appeal from that order.

Federal appellate courts have jurisdiction over appeals from: (1) final orders, 28 U.S.C. § 1291; (2) orders that are deemed final due to jurisprudential exception or which can be properly certified as final pursuant

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to Federal Rule of Civil Procedure 54(b); and (3) interlocutory orders that fall into specific classes, 28 U.S.C. § 1292(a), or which can be properly certified for appeal by the district court, 28 U.S.C. § 1292(b). *See Dardar v. Lafourche Realty Co.*, 849 F.2d 955, 957 (5th Cir. 1988). The district court's order striking the plaintiff's documents is not a final or otherwise appealable order. Accordingly, we do not have jurisdiction over this appeal and it must be dismissed.

IT IS SO ORDERED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

October 16, 2013

Mr. William Putnicki
Western District of Texas, Austin
United States District Court
501 W. 5th Street
Austin, TX 78701-0000

No. 13-50506 Michael Haendel v. M. Digiantonio, et al
USDC No. 1:13-CV-7

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk

Renee MC Donough

By:
Renee S. McDonough, Deputy Clerk
504-310-7673

cc w/encl: Ms. Elaine Agnes Casas
 Mr. Michael Haendel